

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PHILADELPHIA INDEMNITY  
INSURANCE COMPANY,

Plaintiff,

v.

NOTEWORLD, LLC,

Defendant.

CASE NO. C12-5367-RBL

ORDER DENYING PLAINTIFF'S  
MOTION TO REOPEN THE CASE  
AND MOTION TO AMEND

(Dkt. #26, 28)

Plaintiff Philadelphia Indemnity Insurance Company issued two insurance policies to Defendant NoteWorld, LLC. In this declaratory action, Philadelphia seeks a determination of its coverage obligations under these policies. Consistent with each policy's binding arbitration provision, the parties agreed to submit their dispute to arbitration. This Court stayed the declaratory action pending the outcome of that arbitration.

Philadelphia now moves to reopen the case and lift the stay in light of a recent Washington Supreme Court decision. *State Dep't of Transp. v. James River Ins. Co. (WSDOT)*, 292 P.3d 118 (Wash. 2013). *WSDOT* held that RCW 48.18.200 prohibits binding arbitration agreements in insurance contracts. *Id.* at 123.

